EDUCATION SECRETARIAT

No. 2754—*Edn.* 4-43-65, *dated* 29*th November* 1944.

Under Section 6 of the Land Acquisition Act No. VII of 1894, it is hereby declared that the lands described hereunder are required for a public purpose, *viz.*, Play ground for Madhugiri High School and Middle School Boys; and under Sections 7 and 3 (c) of the said Act, the Assistant Commissioner in charge of the Madhugiri Sub-Division, is authorised to take order for the acquisition of the said land.

TUMKUR DISTRICT, MADHUGIRI TALUK, MADHUGIRI KASABA HOBLI, PANNE VILLAGE.

Names of khatedars and anubhavadars.	Survey Nos. or Mi. No.	Whether Dry, wet, garden or vacant site	Total extent	Kharab	Remaining extent	Assessment	Extent now required	
							Extent	Assessment
			A. g.	A. g.	A. g.	Rs. a. p.	A. g.	Rs. a. p.
Mr. A. R. Nageswar Iyer ...	35	Wet ...	3 37	0 3	3 34	23 0 0	3 26	22 12 10 (a)
M. Lingappa bin Puttahariyappa, Nanjundappa, son of M. G. Gundappa, Narasingh bin Jotappa, joint khatedars.	36	Do ...	3 0	...	3 0	17 0 0	3 0	17 0 0 (b)
(1) Kondappa bin Yeeranna, (2) Nanjunda bin Yeeranna, (3) Somelingappa bin Puttananjappa, joint khatedars.	42	Do ...	4 6	0 1	4 5	24 0 0	4 5	24 0 0 (c)

Boundaries.—

	East	West	North	South
(a)	Survey No. 36 ...	Remaining extent reserved for drainage.	Survey No. 37 ...	Pavagada High road drainage.
(b)	Compound of High School.	Survey No. 35 ...	Do 37 ...	Do
(c)	Survey No. 43 ...	High School compound.	Madhugiri gadi ...	Survey Nos. 29, 33

3783

No. E. 2920—*Edn.* 4-44-40, *dated* 8*th December* 1944.

Under Section 4 of the Land Acquisition Act, 1894, as amended from time to time, it is hereby notified that the property described hereunder is required for a public purpose, *viz.*, Nursari School.

Under Section 5-A, it is directed that any person interested in the said property may, within 30 days after the issue of this notification, prefer objections, if any thereto, to the Deputy Commissioner, in writing after which time no objections will be heard.

A plan of the property will be available for inspection in the Office of the Chamarajanagar Taluk Office.

MYSORE DISTRICT, CHAMARAJNAGAR TALUK, SANTHEMARAHALLI HOBLI, KASTUR VILLAGE.

Name of khatedar or owner	Anubhavadar (if any) or other person interested in the property	Survey No. or Mi. No.	Whether dry, wet or garden, etc.	Total extent	Kharab	Extent now required	
						Extent	Assessment
				A. g.	A. g.	A. g.	Rs. a.
Samuel Zaman	... Ganigara Madiah	... 219—1	Dry ...	3 28	...	0 5½	0 5

Boundaries.—

East	West	North	South
Survey No. 218.	Survey. No. 219—1.	Survey No. 219—1.	Village site.

3932

By Order,
N. S. HIRANNAYYA,
Secretary to Government,
Education Department.

GENERAL SECRETARIAT.

Notification No. S. R. 2517—L.W. 54-44-7, dated 18th December 1944.

In accordance with Section 12 (4) of the Mysore Labour Act No. XIII of 1942 as amended from time to time, the Government of His Highness the Maharaja are pleased to publish for general information the accompanying Report of the Chief Conciliator in Mysore, in the matter of the industrial dispute between the Management of the Gaffar Beedi Factory, Mysore and the Labour Association of the said concern.

By Order,
K. SUBBA RAO,
Secretary to Government,
General Department.

Copy of letter No. C. C. 19—44, dated 11th December 1944, from the Chief Conciliator in Mysore, Bangalore and of its enclosures :—

I have the honour to make the following report under Section 12 (4) of the Mysore Labour Act, 1942 relating to a dispute between the Management and the Registered Labour Association of the Gaffar Beedi Factory, Mysore, on the question of reinstatement of Mohamed Khan, a dismissed worker.

2. The notice of change in the above case was ...ised by the Gaffar Beedi Factory, Mysore on 1st October 1944, a copy of which is appended. The Assistant Commissioner of Labour Bhadravati Division, having failed in his attempts to bring about an agreement between the parties, the case was referred by the Commissioner of Labour in Mysore, Bangalore, under cover of his letter dated 25th October 1944, for instituting conciliation proceedings. The case was taken on file and posted for hearing on 29th November 1944 at Mysore.

3. On that date both the parties being present conciliation proceedings were initiated. The Labour Representative contended that when Mohamed Khan, the Secretary of Labour Association approached the Management on the morning of 21st September 1944 to represent the grievances of the workers he was dismissed, without any just cause being shown and that he should therefore be reinstated. The Management contended that the dismissed worker used a very contemptuous term to the Management in the presence of all other workers, meaning thereby that he had a hatred to work in their factory and that therefore he was dismissed. The labour Representatives further contended that the word "NEPHRUT" was not meant to bring the Management into contempt; but on the other hand he (Mahomed Khan) meant that discontentment would spread among the workers if the attitude of the Management was not changed. They therefore demanded not only the reinstatement of the dismissed worker but also com-

cessation of work in the factory resulting out of the dismissal of the worker which in their opinion was a lock out. Their attention was drawn to the declaration by the Registrar of Associations to the effect that the cessation of work in question amounted to an illegal strike and it was also pointed out that the issue should not be complicated unnecessarily by tagging on other issues which had already been decided. The management stated that the dismissed worker was constantly instigating other workers to continue the strike though other workers wanted to resume work, and that the reinstatement of the worker could not be considered at all. Even after much discussion, it was not possible to find any common ground for arriving at an amicable settlement between the parties.

I have, in the circumstances, to make this report of the failure of the proceedings in the conciliation.

Letter dated 1st October 1944 from the Gaffar Beedi Factory Labour Association, Mysore, Lashkar Mohalla, Mysore, to the Proprietor, Gaffar Beedi Factory, Mandi Mohalla, Mysore.

In accordance with the provision contained in the sub-section (2) of Section (10) of the Mysore Labour Act, 1942, we hereby beg to give you notice that we desire a change in accordance with the statement appended in the annexure to this form.

Annexure.

Statement of the Case.

On 21st September 1944, Mr. Mahomed Khan, Secretary of the Gaffar Beedi Factory Labour Association received a letter No. 25, addressed to Mr. Mahomed Khan, Beedi Worker, Anjaman Road, Mandi Mohalla, Mysore, signed by Syed Abdul Salam for S. A. Kareem and Brother saying that he was dismissed and a copy of the same has been sent to us by the Assistant Commissioner of Labour, Bhadravati Division, in his No. 3240—44-45. We on enquiry found that no such unmannerly words have been used with a malicious intention by the aforesaid Mahomed Khan and as such desire that he be reinstated forthwith.

4537 ———

No. S. R. 2527—L. W. 55-44-2, dated Bangalore, 18th December 1944.

Under Section 12(4) of the Mysore Labour Act XIII of 1942, as amended from time to time, the Government of His Highness the Maharaja of Mysore are pleased to publish for general information the accompanying report of the Chief Conciliator in Mysore relating to a dispute between the management and the Registered Association of the Mysore Spinning and Manufacturing Co., Ltd., Bangalore, on the question of the reinstatement of two dismissed workers (S. Varadaraj and Kannan).

Copy of No. C. C. 3—44, dated 12th December 1944 from the Chief Conciliator in Mysore, Bangalore :—

I have the honour to make the following report under Section 12(4) of the Mysore Labour Act 1942, relating to a dispute between the Management and the Registered Labour Association of the Mysore Spinning and Manufacturing Co., Ltd., Bangalore, on the question of the reinstatement of two dismissed workers (S. Varadaraj and Kannan).

1. The Notice of change in the above case was given by the Mysore Mills Labour Association on 25th August 1944, copy of which is appended. The Assistant Commissioner of Labour, Bangalore Division having been unsuccessful in his attempts to bring about an agreement between the parties, the Commissioner of Labour in his letter No. C. I. D. 12—1944-45, dated 8th September 1944, referred the case to the Chief Conciliator for instituting conciliation proceedings. The case was taken on file and posted for hearing to 17th October 1944, but as the Labour Representative did not appear on that date the same conciliation proceedings were initiated. The Labour Representative contended that the Management dismissed the two workers chiefly because they were working in the executive committee of the Labour Association and that their action in that behalf was questionable and wanted their (workers') reinstatement. The Management contended that the two workers were dismissed because they had taken the lead in a strike which occurred recently in the Mills, and that if this action had not been taken, the position of the Management would have been jeopardised. They also filed records relating to the enquiry held by the General Manager leading to their dismissal. The Labour Representative contended that the two workers could not have resumed work for fear of intimidation by the others who were on strike, even though they themselves desired to resume it and that the two workers involved were innocent and as such their case was deserving of consideration. The Management stated that there were frequent strikes in those sections in particular, and that the workers in question did not have a good record of work to their credit. The Labour Representative was of opinion that no proper enquiry had been held and that the workers had not been given a chance to explain their position and he therefore wanted permission to record and file the statements of the workers. It was pointed out that the additional facts could have been brought to notice at the time of enquiry and dismissal and again before the Assistant Commissioner of Labour and that there was no basis for admitting now. At that stage the case was adjourned to 14th November 1944.

On the latter date the Representatives met and the conciliation proceedings were continued. The Labour Representatives filed two statements made by the workers in question stating that on the day of strike they could not resume work for fear of intimidation from the others who were not working. When these statements were read out, the Management stated that the workers had not at all raised the point regarding threat of intimidation, etc., at the time of enquiry, and that this was plainly the result of an after thought. The Labour Representative contended that though the workers might not have expressed these feelings at the time, still it was a fact that they were exposed to such threats by other workers, and that the dismissal was not proper under such circumstances. It was suggested at that stage that after inflicting a lighter punishment, the workers might be taken on duty again as the loss of appointment during the interval would itself be a sufficient punishment. The Labour Representative further urged that the workers were the members of the executive committee and were loyal and trustworthy and should be reinstated. It was suggested that the Labour Representative along with the two dismissed workers should discuss the matter freely with the General Manager in presence of the Assistant Commissioner of Labour, Bangalore Division, and explain their position. Hence the case was therefore adjourned for this purpose.

After hearing from the Assistant Commissioner of Labour, that the Labour Representative had an interview with the General Manager at which he was also present and that no agreement had transpired, the case was again posted to 5th December 1944.

When the Representatives met on 5th December 1944, the Management stated that they were not agreeable to reinstate the workers and the Labour Association was not prepared to withdraw the notice of change. After much discussion it was found that the parties were not likely to come to an amicable settlement.

I have, in the circumstances to make the report of the failure of the conciliation proceedings.

Letter No. 1036—M. M. B. dated 25th August 1944 from the Secretary, Mysore Mills Labour Association, Bangalore city, to the General Manager, The Mysore Spinning & Manufacturing Co., Ltd., Bangalore :—

1942, we hereby beg to give you notice that we desire a change in accordance with the Statement appended in the annexure to this form.

Annexure.

Reinstatement of M/s. S. Varadaraj—S. Drawing 13, and Kannan Weaving 118.

The two employees for whose reinstatement this notice of change has been given were wrongfully and illegally dismissed on 22nd July 1944 on the ground that they participated in a strike in contravention of the Mysore Labour Act by certain employees on the Mills. Both the dismissed employees are members of the Executive Committee of the Mysore Mills Labour Association. Both the employees could not have, and as a matter of fact, did not participate in the said strike on 22nd July 1944. The Association further invites the attention of the authorities as well as the Management to the fact that the strike or cessation of work cannot be considered illegal in any sense of the word in view of the fact that the management have by their letter dated 27th July 1944 addressed to the Registrar of Associations withdrawn their application to declare the alleged cessation of work as an illegal strike.

The Management have deliberately and with a view to victimise the said employees who are active members of the Labour Association and to get rid of them have summarily and without even giving them an opportunity to answer the charge levelled against them have wrongfully and illegally dismissed them. As no opportunity was afforded to the said employees to answer the charge that they participated in a strike in contravention of the Labour Act, the dismissal is in any event wrongful and illegal.

The wrongful and illegal dismissal of the said two employees works grave injustice and hardship as both of them have served the employer Mills loyally and faithfully for a long number of years.

As the order of dismissal is unsustainable in law or in equity nor warranted by the facts and circumstances of the case, this notice has been given calling upon the Management to reinstate the dismissed employees.

By Order,
K. SUBBA RAO,
Secretary to Government,
General Department.

4536

LAW SECRETARIAT

No. Rl. 2427—*R. A.* 54-44-27, *dated* 16*th December* 1944.

WHEREAS Mr. A. J. Khaleel, B.A., B.L., Advocate, Muslim Hall Road, Bangalore City, elected to the Representative Assembly at the bye-election held in accordance with Notification No. Rl. 489—R. A. 20-43-3, dated the 28th December 1943, from the Bangalore City Mahammadan Urban Constituency, incurred disqualification under section 20(1) (h) of the Government of Mysore Act, 1940, and under Rule 195 of the Representative Assembly Rules, 1940, for failure to lodge a return of election expenses within the time and in the manner prescribed:

AND WHEREAS on a representation received from Mr. A. J. Khaleel, the Government of His Highness the Maharaja, in their Notification No. Rl. 847—R.A. 25-43-6, dated the 22nd May 1944, were pleased to direct that the disqualification incurred by the said Mr. A. J. Khaleel to vote at any election to either Chamber for a period of five years shall cease to have effect from the first day of June 1944;

AND WHEREAS the said Mr. A. J. Khaleel has presented a further petition to Government praying for removal of disqualification for being chosen as, and for being, a member of either Chamber;

NOW THEREFORE in exercise of the powers vested in them under clause (h) of Sub-section (1) of Section 20 of the Government of Mysore Act, 1940, the Government of His Highness the Maharaja are pleased to direct, that the disqualification incurred by Mr. A. J. Khaleel under Section 20 (1) (h) of the Government of Mysore Act, for being chosen as, and for being a member of either Chamber shall cease to have effect from this day.

4238

No. RL. 2434—*Lc.* 9-44-4. *dated* 19*th December* 1944.

WHEREAS Mr. Niligiri G. Sanjeevaiah, Landholder, Giriyappa's Estate, Gollahalli Village, Anekal Taluk, a candidate for the bye-election held on 28th March 1943 to the Legislative Council from the Bangalore District Rural Constituency was disqualified under section 20 (1) (h) of the Government of Mysore Act, 1940, and under rule 174 of the Legislative Council Rules, 1940, for failure to lodge a return of election expenses within the time and in the manner prescribed;

AND WHEREAS Mr. Niligiri G. Sanjiviah has presented a petition to Government praying for the removal of the aforesaid disqualification for the reasons set out in the petition;

NOW THEREFORE in exercise of the powers vested in them under clause (*h*) of Sub-section (1) of Section 20 of the Government of Mysore Act, 1940 and under the provisions of Rule 176 of the Legislative Council Rules, 1940, the Government of His Highness the Maharaja are pleased to direct that the aforesaid disqualifications both in respect of voting and for being chosen as, and for being a member of either Chamber shall cease to have effect from this day.

C. NARAYANASWAMY NAIDU,
Legal Remembrancer and
Secretary to Government,
Law Department.

4447

PUBLIC WORKS SECRETARIAT

No. P. W. 2422-26, *dated* 30*th October* 1944.

It is hereby notified for the information of the public that the words "Special Land Acquisition Officer, Hirebhasgar," should be substituted for "Special Land Acquisition Officer, Hosanagar", in the undermentioned Government Notifications.

Sl. No.	Government Order No.	Date of order	Published in Gazette		
			No.	Page	Date
1	P.W. 8728-32 ...	21st June 1944.	26	331	29th June 1944.
2	P.W. 8733-37 ...	Do ...	26	331	Do
3	P.W. 8274-78 ...	6th June 1944.	24	298	15th June 1944.
4	P.W. 8703-707 ...	21st June 1944.	26	329	29th June 1944.

4240

No. P. W. 2455-61, *dated* 1*st November* 1944.

Consequent on the abolition of the Special Land Acquisition Office, Hosanagar, the Special Land Acquisition Officer, Hirebhasgar, is authorised to perform the functions of the Special Land Acquisition Officer, Hosanagar, also in addition, with effect from 1st July 1944.

4239

Notification, dated 27*th November* 1944.

Under Section 48 (1) of the Land Acquisition Act, 1894 as amended from time to time, the Government are pleased to withdraw from the acquisition of the following properties in the undermentioned villages of Sagar Taluk, as they are not required.